

Mr. MORGAN moved to amend the 14th section, by striking out from the word "court," in the third line, to the end of the section.

Mr. THOMAS moved further to amend the section by striking out, in the third line, the words "the Chancery Court."

Mr. THOMAS. I desire to say in offering this amendment that it is in exact accordance with the view of the Convention determining that they will not have a separate chancery court for the city of Baltimore. I am not prepared to say that I would not now, instead of clothing the Legislature with power to create a court hereafter commensurate with the wants of the city of Baltimore, vote for three courts instead of two. For the present, I shall vote for this part of the bill, as it now stands, clothing the Legislature with this power hereafter to be exercised in the event of the increase of business and population. Those who concur with me in saying that we will not destroy the symmetry of the judiciary system of Maryland by creating a chancery court in the city of Baltimore, will not put any obstacle in the path of those who desire to review and reform our whole system of special pleading. But I will not now establish a chancery court in Baltimore to be left hereafter, perhaps, without any jurisdiction at all, if common law and chancery proceedings are blended. I am willing to hear from the gentlemen from Baltimore city what they require. I wish their courts to be, as far as may be, organized upon principles precisely analogous to those of the county courts in the State.

Mr. GWINN. I move to postpone. I think it material that we should note, as we go along, the progress of the charity of this Convention towards the city of Baltimore. We have demonstrated, as we think, the utter incapability of those two courts to perform the business of our city. It is now proposed to make that helpless which was incapable before. Can gentlemen, for one moment, imagine that we conceive this to be reform, and that we shall receive it as a boon? Gladly would I return to the judiciary system of the old constitution, rather than to engraft upon our system that which leaves no room for the enlargement of our business, and which will plunge our commercial affairs into inextricable confusion. To transfer the estates of 908 insolvent debtors to a court which will have to dispose of 600 and odd suits at common law in the course of the year, gentlemen must imagine that legal men in Baltimore possess powers far beyond those of any county judge in the State.

Mr. THOMAS. I shall be obliged to renew the motion to postpone. My public acts, I think, will justify me in saying that I have ever proved myself to be one of the most faithful friends of Baltimore. But sufficient for the day is the question we have before us. Are we not about taking from the judges of the courts of Baltimore city the necessity of attending the Court of Appeals? Are we not diminishing their duties in that respect? Are we not abolishing imprisonment for debt, and thus diminishing that branch of the duties

of our courts growing out of insolvencies? I anticipate that the Legislature will provide for trying questions of fraud somewhat in this form: A., if he thinks B. has defrauded him, brings his action in the county court for damages, by reason of that fraud. If there is property, he can reach it, and if not, there is no remedy. The abolition of imprisonment for debt will dispense with a large amount of business. When gentlemen find that there is an honest difference of opinion, they ought not to say that we are trampling upon the rights of Baltimore. I stand here ready to hear that delegation with the utmost cheerfulness, as to what their necessities require. In the section from which I come, we have but one judge for sixty-odd thousand people. We have given to the Legislature express power hereafter to give Baltimore another judge, who is to be paid out of the State treasury, and in that respect have given to that city a possible privilege that no other portion of the State is to enjoy.

Pending the question on these amendments,

At five minutes past three o'clock, P. M.,

Mr. JOHN NEWCOMER moved that the Convention take a recess until five o'clock, P. M.

Mr. CHAMBERS, of Kent, moved that the Convention adjourn.

Mr. JOHN NEWCOMER moved that the question be taken by yeas and nays, which being ordered resulted as follows:

Affirmative—Messrs. Chapman, Pres't, Morgan, Dent, Hopewell, Lee, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Weems, Bond, Brent, of Charles, Merrick, Howard, Bell, Chandler, Ridgely, Jas. U. Dennis, Dashiell, Williams, Hodson, Goldsborough, Eccleston, Phelps, Miller, Sprigg, McCubbin, Bowling, Wright, Dirickson, McMaster, Hearn, Fooks, Jacobs, Shriver, Biser, Thawley, Gwinn, Stewart, of Baltimore city, Sherwood, of Baltimore city, Ware, Schley, Neill, Davis, Kilgour, Waters, Anderson, Holliday, Smith and Shower—52.

Negative—Messrs. Blakistone, Kent, Buchanan, Lloyd, Dickinson, Colston, Crisfield, Hicks, Chambers, of Cecil, McLane, Spencer, George, Thomas, Gaither, Annan, Sappington, Stephenson, McHenry, Magraw, Nelson, Fiery, John Newcomer, Harbine, Michael Newcomer, Brewer, Weber, Slicer, Parke, Cockey and Brown—29.

So the Convention adjourned until to-morrow morning at 9 o'clock.

DEFERRED DEBATES.

THE SCHOOL FUND.

Remarks of Mr. Chambers, April 29th, 1851.

Mr. CHAMBERS said, when the opinion of the House had been heretofore expressed by a vote of 51 to 11, he had supposed this question had been put to rest. He had then brought to the